

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

PETER W. EMMET,

Plaintiff,

v.

TOM DEL FRANCO; JOHN OSTENDORF,
NICHOLAS DEL FRANCO; MARTIN KARO;
ORGANIC AMERICA WHOLESALE, LLC;
THE GREENHOUSE LEASING COMPANY,
LLC, HOUGHTON STORAGE SOLUTIONS,
LLC; HYDROPONICS HOUSE LLC;
ORGANIC AMERICA MARKETS, LLC;
ORGANIC AMERICA FARMS, LLC;
ORGANIC AMERICA HOLDINGS, LLC;
ORGANIC AMERICA OF FORT MYERS,
LLC; NDF ENTERPRISES; ORGANIC
AMERICA FARMS OF AMHERST, LLC;
JOHN DOE(S) 1 – 10 AND ABC
CORPORATION(S) 1 – 10,

Defendants.

Case No. 2:16-cv-11211

Hon. Gershwin A. Drain
Mag. J. Stephanie Dawkins
Davis

STIPULATED ORDER OF DISMISSAL

Pursuant to the stipulation and concurrence of the parties, individually and through their respective counsel,

IT IS HEREBY ORDERED that all of Plaintiff's claims against Martin Karo, Thomas del Franco, and John Osendorf are dismissed with prejudice and without costs to any party;

IT IS FURTHER ORDERED that all of Plaintiff's claims against Nicholas del Franco, Organic America, Organic America Supply, Organic America Farms, LLC, Hydroponics House, LLC, Organic America Holdings, LLC, Organic America Wholesale, LLC, Organic America of Fort Myers, LLC, The Homestead Greenhouse Leasing Company, LLC, NDF Enterprises, D&G Green Enterprises, LLC, Mad Hatter Nutrients and Soils, Homestead Hydro and Organic America Farms of Amherst, LLC are dismissed without prejudice, and without costs to any party.

IT IS FURTHER ORDERED that all counterclaims of any of the Defendants are dismissed with prejudice and without costs to any party.

IT IS FURTHER ORDERED that this case is closed, but that the Court shall retain jurisdiction to enforce the terms of the parties' Settlement Agreement, if so required.

/s/Gershwin A Drain

UNITED STATES DISTRICT COURT JUDGE

Stipulated as to form and content:

COUGHLIN DUFFY LLP <i>Attorneys for Plaintiff</i> /s/Mark Silver Mark Silver, Esq. Dated: May 16, 2018	 /s/Martin Karo Martin Karo, in Pro Per Dated: May 16, 2018
	COUZENS, LANSKY, FEALK, ELLIS, ROEDER & LAZAR, P.C. <i>Attorneys for Defendants</i> /s/Bruce Lazar Bruce Lazar, Esq. Dated: May 16, 2018